

(b) *The Legislature shall have the power to authorize a tax on the ad valorem property situated in a rural fire prevention district located in whole or part in Harris County not to exceed Five (5¢) Cents on the One Hundred (\$100.00) Dollars valuation for the support of the district.*

(c) *Provided, however, [~~it provided that~~] no tax shall be levied in support of said districts until approved by vote of the people residing therein.*

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 1997. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to authorize the legislature to authorize an ad valorem tax rate in rural fire prevention districts located in Harris County of five cents on each \$100 of taxable value of property."

Passed by the House on April 16, 1997: Yeas 145, Nays 0, 1 present, not voting; passed by the Senate on May 21, 1997: Yeas 30, Nays 0, 1 present, not voting.

Filed with the Secretary of State May 22, 1997.

H.J.R. No. 104

A JOINT RESOLUTION

proposing a constitutional amendment relating to eliminating duplicate numbering in and certain obsolete provisions of the Texas Constitution.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 48-e, Article III, Texas Constitution, as proposed by H.J.R. No. 18, 70th Legislature, Regular Session, 1987, is redesignated as Section 48-f to read as follows:

Sec. 48-f [48-e]. The legislature, by law, may provide for the creation, operation, and financing of jail districts and may authorize each district to issue bonds and other obligations and to levy an ad valorem tax on property located in the district to pay principal of and interest on the bonds and to pay for operation of the district. An ad valorem tax may not be levied and bonds secured by a property tax may not be issued until approved by the qualified electors of the district voting at an election called and held for that purpose.

SECTION 2. Section 52e, Article III, Texas Constitution, as proposed by S.J.R. No. 37, 60th Legislature, Regular Session, 1967, is redesignated as Section 52g and amended to read as follows:

Sec. 52g [52e]. Bonds to be issued by Dallas County under Section 52 of Article III of this Constitution for the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes, or in aid thereof, may, without the necessity of further or amendatory legislation, be issued upon a vote of a majority of the *residents* [~~resident property taxpayers~~] voting thereon who are qualified electors of said county, and bonds heretofore or hereafter issued under Subsections (a) and (b) of said Section 52 shall not be included in determining the debt limit prescribed in said Section.

SECTION 3. Section 61, Article III, Texas Constitution, as proposed by S.J.R. No. 5, 53rd Legislature, Regular Session, 1953, is redesignated as Section 61-a to read as follows:

Sec. 61-a [61]. The Legislature shall not fix the salary of the Governor, Attorney General, Comptroller of Public Accounts, Commissioner of the General Land Office or Secretary of State at a sum less than that fixed for such officials in the Constitution on January 1, 1953.

SECTION 4. Section 1, Article VI, Texas Constitution, is amended to read as follows:

Sec. 1. The following classes of persons shall not be allowed to vote in this State, to wit:

First: Persons under 18 [~~twenty-one (21)~~] years of age.

Second: *All persons who have been determined mentally incompetent by a court, subject to such exceptions as the Legislature may make.* [~~Idiots and lunatics.~~]

Third: [~~All paupers supported by any county.~~]

[~~Fourth:~~] All persons convicted of any felony, subject to such exceptions as the Legislature may make.

SECTION 5. Section 2, Article VI, Texas Constitution, is amended to read as follows:

Sec. 2. Every person subject to none of the foregoing disqualifications who shall have attained the age of 18 ~~[twenty-one (21)]~~ years and who shall be a citizen of the United States and who ~~is a resident of [shall have resided in]~~ this State ~~[one (1) year next preceding an election and the last six (6) months within the district or county in which such person offers to vote,]~~ shall be deemed a qualified elector; provided, however, that before offering to vote at an election a voter shall have registered ~~[annually]~~, but such requirement for registration shall not be considered a qualification of an elector within the meaning of the term "qualified elector" as used in any other Article of this Constitution in respect to any matter except qualification and eligibility to vote at an election. ~~[Any legislation enacted in anticipation of the adoption of this Amendment shall not be invalid because of its anticipatory nature.]~~ The Legislature may authorize absentee voting. ~~[And this provision of the Constitution shall be self-enacting without the necessity of further legislation.]~~

SECTION 6. Section 3, Article VI, Texas Constitution, is amended to read as follows:

Sec. 3. All qualified electors of the State, as herein described, who ~~reside [shall have resided for six months immediately preceding an election,]~~ within the limits of any city or corporate town, shall have the right to vote for Mayor and all other elective officers~~;~~ ~~[but in all elections to determine expenditure of money or assumption of debt, only those shall be qualified to vote who pay taxes on property in said city or incorporated town; provided, that no poll tax for the payment of debts thus incurred, shall be levied upon the persons debarred from voting in relation thereto].~~

SECTION 7. Section 16, Article VII, Texas Constitution, as proposed by H.J.R. No. 14, 40th Legislature, Regular Session, 1927, is redesignated as Section 16-a to read as follows:

Sec. 16-a [16]. The Legislature shall fix by law the terms of all offices of the public school system and of the State institutions of higher education, inclusive, and the terms of members of the respective boards, not to exceed six years.

SECTION 8. The following constitutional provisions are repealed:

- (1) the constitutional amendment proposed by S.J.R. No. 5, 49th Legislature, Regular Session, 1945, relating to an appropriation to John Tarleton Agricultural College;
- (2) Section 49-g, Article III, Texas Constitution, as proposed by H.J.R. No. 88, 70th Legislature, Regular Session, 1987; and
- (3) Section 44(h), Article XVI, Texas Constitution, as proposed by H.J.R. No. 21, 73rd Legislature, Regular Session, 1993.

SECTION 9. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 1997. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment eliminating duplicate numbering in and certain obsolete provisions of the Texas Constitution."

Passed by the House on May 14, 1997: Yeas 126, Nays 0, 1 present, not voting; the House concurred in Senate amendments to H.J.R. No. 104 on May 30, 1997: Yeas 137, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 26, 1997: Yeas 26, Nays 0.

Filed with the Secretary of State June 2, 1997.